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AUSTRALIA

EXAMINER

COSIMANO, EDWARD R

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 06/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicant N .

Applicant(s) **HN**

09/663,599

LAPSTUN ET AL.

Examiner

Art Unit

Edward R. Cosimano

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-23 and 25-34 is/are rejected.
- 7) ☒ Claim(s) 7 and 24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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1. Applicant should note the changes to patent practice and procedure:
 - A) effective December 01, 1997 as published in the Federal Register, Vol 62, No. 197, Friday October 10, 1997; and
 - B) effective November 07, 2000 as published in the Federal Register, Vol 65, No. 54603, September 08, 2000.
2. The use of various trademark(s), for example: "Memjet™", "IBM", in the paragraph:
 - A) at page 11, lines 9-10, "Figure 15 ... Memjet™ ... controller shown in Figure 14;";
 - B) at page 11, lines 13-14 "Figure 17 ... Memjet™ ... netpage printer of Figures 10 to 12;";
 - C) at page 11, lines 15-16, "Figure 18 ... Memjet™ printer elements;";
 - D) at page 11, lines 17-18, "Figure 19 ... Memjet™ ... elements shown in Figure 13;";
 - E) at page 11, line 19, "Figure 20 ... Memjet™ printhead;";
 - F) at page 14, line 2, "Note: Memjet™ ... Ltd. Australia.";
 - G) at page 16, lines 5-11, "The netpage system ... Memjet™ ... easy navigate and comfortable handling.";
 - H) between page 29, line 25, and page 30, line 1, "Netpage servers can be hosted ... IBM ... or on a local network.";
 - I) at page 30, lines 23-25, "The printer rasterizes ... Memjet™ ... printheads 350 for this purpose.";
 - J) between page 31, line 16, and page 32, line 29, "1.5.1 Memjet™ ... Memjet™ printing element 300.";
 - K) between page 72, line 4, and page 73, line 3, "The vertically-mounted ... Memjet™ ... Memjet™ ... Memjet™ ... Memjet™ ... Memjet™ print engine 603.";
 - L) at page 74, lines 4-7, "The RIP DSPs ... Memjet™ ... both sides of a sheet simultaneously.";
 - M) at page 76, lines 2-6, "The page expansion ... Memjet™ printhead 350.";

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N) at page 76, lines 12-20, "The first stage ... Memjet™ ... via the printhead interface 768.";

has been noted in this application. Any trademarks should be capitalized wherever they appear and be accompanied by the generic terminology.

2.1 Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

3. The drawings are objected to because

A) the drawings must show every feature of the invention specified in the claims, therefore, the subject matter of:

(1) claims 11, 12, 28 & 29, in regard to disabling the authorization after a predetermined number of uses;

must be shown in the drawings as required by 37 CFR § 1.83(a) or the feature(s) canceled from the claim(s) (note: no new matter should be entered).

B) the following errors have been noted in the drawings:

(1) from the context of the description of figs. 19(a), 19(b) and 19(c) between page 32, line 28, and page 33, line 21, "Figures 19(a), 19(b) and 19(c) show ... surface tension at the meniscus 316.", the drawings lack fig. 19 as disclosed at page 11, lines 17-18, "Figure 19 ... elements shown in Figure 13;".

(2) The drawings are objected to as failing to comply with 37 CFR § 1.84(p)(4) because reference character(s):

(a) "50" has been used to designate both "PAGE ID" (see the center of fig. 4) and "PAGE ID POSITION" (below box 4) in fig. 4, note also:

(a)(1) "PAGE ID 50" in fig. 25 as described in the paragraph at page 28, lines 9-13, "A document instance 831 ... page ID 50 ... of a page requested in isolation.";

(a)(2) “page ID 50” as described in the paragraph at page 29, lines 19-21, “A netpage printer ... page ID 50 ... the corresponding page instance.”;

(a)(3) page 35, lines 4-8, “Pen actions ... page ID 50 ... is at the commencement of the stroke.”;

(a)(4) page 36, lines 13-25, “The netpage printer ... page ID 50 ... elsewhere on the netpage network.”;

(a)(5) between page 41, line 14, and page 42, line 3, “Figure 38 ... page ID 50 ... maintained by the registration server.”;

(a)(6) note “PAGE IDS” 50 in fig. 40, as disclosed at page 64, lines 19-21, “The page server then allocates ... page Ids 50 ... for the printer to listen to.”;

(a)(7) note page ID 50 in fig. 42 as disclosed at:

(a)(7.1) page 65, lines 8-11, The printer determines ... page ID 50. The ... and click location to the page server.”; and

(a)(7.2) page 66, lines 1-3, “The second page server ... page Ids 50 ... to the requesting printer.”; and

(a)(8) page 66, lines 18-19, “The printer forwards ... page ID 50 ... page server 10 in the usual way.”.

(b) 143 has been used twice to designate a “IR LED 143” and a “clip” see fig. 9 as described in the paragraph at page 69, lines 1-19, “A second flex PCB ... IR LED 143 ... on the slider blocks 123 and 124.”.

(c) 142 has been used twice to designate a “grip pad” see fig. 9, and a “clip” see fig. 8 as described in the paragraph at page 69, lines 20-22, “Rubber grip pads 141 and 142 ... clip 142 for clipping the pen 101 to a pocket.”.

(d) 765 has been used twice in fig. 16 to designate a "TAG ENCODER" and a "HALFTONE/COMPOSITOR" note the paragraph at page 76, lines 2-6, "The page expansion ... a custom tag encoder 766, Memjet™ printhead 350."

(3) The drawings are objected to as failing to comply with 37 CFR § 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description, that is reference number(s):

(a) 766 as disclosed in the paragraph at:

(a)(1) page 76, lines 2-6, "The page expansion ... a custom tag encoder 766, Memjet™ printhead 350."; and

(a)(2) page 76, lines 12-20, "The first stage ... (at 766) ... via the printhead interface 768."

(b) 1016 & 1017 as disclosed in the paragraph at page 80, lines 17-19, "Rather than accepting ... users 1016. The barred user list 1017 ... the user refuses to accept e-mail."

(4) The drawings are objected to as failing to comply with 37 CFR § 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description:

(a) 804 in fig. 26 in the paragraphs between page 27, line 16, and page 28, line 8, "A preferred embodiment ... such as hyperlinks and input fields.";

(b) 837, 838, 841 & 842 in fig. 25 in the paragraphs between page 27, line 16, and page 29, line 1, "A preferred embodiment ... translated into location on the page.";

(c) 333 in fig. 20 as described in the paragraphs between page 33, line 22, and page 34, line 3, "Figure 20 shows ... while the printer is idle.";

(d) 861 in fig. 29 as described in the paragraphs between page 37, line 1, and page 38, line 6, "A hyperlink ... return path in all hyperlink activations.";

(e) 869 in fig. 32 as described in the paragraphs between page 38, line 18, and page 39, line 9, "A form 867 ... time period to be excluded from a search.";

(f) 906 in fig. 39 in the paragraph at page 42, lines 20-24, "A page server command 907 ... 917, as shown in Figure 39.";

(g) 810, 811, 812, 813 & 814 in fig. 22 in the paragraphs between page 51, line 5, and page 52, line 16, "Each user, pen, printer ... users to locate and direct e-mail (etc.) to the user.";

(h) 804, 805, 827 & 828 in fig. 24 in the paragraphs between page 51, line 5, and page 52, line 16, "Each user, pen, printer ... users to locate and direct e-mail (etc.) to the user.";

(i) 841 in fig. 41;

(j) 192 in fig. 8 as described in the paragraphs between page 67, line 28, and page 70, line 6, "Referring to Figures 8 and 9, ... and can be transmitted later.";

(k) 606, 609, 610 & 619 in fig. 11 as described in the paragraphs between page 72, line 4, and page 73, line 21, "The vertically-mounted netpage ... into the binding assembly 605.";

(l) 612, 619, 623 & 706 in fig. 12 as described in the paragraphs between page 72, line 4, and page 73, line 21, "The vertically-mounted netpage ... into the binding assembly 605.";

(m) 646, 669, 675 & 706 in fig. 12a as described in the paragraphs between page 72, line 4, and page 73, line 21, "The vertically-mounted netpage ... into the binding assembly 605.";

(n) 646 in fig. 13 as described in the paragraphs between page 72, line 4, and page 73, line 21, "The vertically-mounted netpage ... into the binding assembly 605.";

(o) 350a & 350b in fig. 15 as described between page 74, line 8, and page 77, line 2, The master print engine ... which in the current design exceeds 30kHz."; and

(p) 45 & 1120 in fig. 50.

(5) the drawings lack figs. 19(a), 19(b) and 19(c) as disclosed between page 32, line 28, and page 33, line 21, "Figures 19(a), 19(b) and 19(c) show ... surface tension at the meniscus 316.".

(6) as can be seen in fig. 9 and from the context of the disclosure in the paragraph at page 69, lines 20-22, "Rubber grip pads 141 and 142 ... clip 142 for clipping the pen 101 to a pocket.", in fig. 9:

(a) "142" should be -141--, and

(b) "143", which designates the pen's clip, should be -142--;

note also at:

(a) page 70, lines 7-11, "The controller chip 134 ... LED 143 ... sensor photodiode 144."; and

(b) page 70, lines 21-25, "The controlling processor ... LEDs 116, 131 and 143, ... general-purpose RISC processor.".

3.1 A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

3.2 Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

4. The disclosure is objected to because of the following informalities:

A) applicant must update:

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(1) the application data on page 1 & 2,
with the current status of each of the referenced applications, e.g., --now abandoned--,
or --now patent #?--, or --which is abandoned and now serial number #?--, etc.

B) as required by 37 CFR § 1.84(p(5)) and 37 CFR § 1.121(e) the specification
lacks an explicit reference to the nature of:

(1) reference legend(s):

(a) 804 of fig. 26 in the paragraphs between page 27, line 16, and
page 28, line 8, "A preferred embodiment ... such as hyperlinks and
input fields.";

(b) 837, 838, 841 & 842 of fig. 25 in the paragraphs between
page 27, line 16, and page 29, line 1, "A preferred embodiment ...
translated into location on the page.";

(c) 333 of fig. 20 as described in the paragraphs between page
33, line 22, and page 34, line 3, "Figure 20 shows ... while the printer is
idle.";

(d) 861 of fig. 29 as described in the paragraphs between page
37, line 1, and page 38, line 6, "A hyperlink ... return path in all
hyperlink activations.";

(e) 869 of fig. 32 as described in the paragraphs between page
38, line 18, and page 39, line 9, "A form 867 ... time period to be
excluded from a search.";

(f) 906 of fig. 39 in the paragraph at page 42, lines 20-24, "A
page server command 907 ... 917, as shown in Figure 39.";

(g) 810, 811, 812, 813 & 814 of fig. 22 in the paragraphs
between page 51, line 5, and page 52, line 16, "Each user, pen, printer
... users to locate and direct e-mail (etc.) to the user.";

(h) 804, 805, 827 & 828 of fig. 24 in the paragraphs between
page 51, line 5, and page 52, line 16, "Each user, pen, printer ... users
to locate and direct e-mail (etc.) to the user.";

(i) 841 of fig. 41;

(j) 192 of fig. 8 as described in the paragraphs between page 67, line 28, and page 70, line 6, "Referring to Figures 8 and 9, ... and can be transmitted later.";

(k) 606, 609, 610 & 619 of fig. 11 as described in the paragraphs between page 72, line 4, and page 73, line 21, "The vertically-mounted netpage ... into the binding assembly 605.";

(l) 612, 619, 623 & 706 of fig. 12 as described in the paragraphs between page 72, line 4, and page 73, line 21, "The vertically-mounted netpage ... into the binding assembly 605.";

(m) 646, 669, 675 & 706 of fig. 12a as described in the paragraphs between page 72, line 4, and page 73, line 21, "The vertically-mounted netpage ... into the binding assembly 605.";

(n) 646 of fig. 13 as described in the paragraphs between page 72, line 4, and page 73, line 21, "The vertically-mounted netpage ... into the binding assembly 605.";

(o) 350a & 350b of fig. 15 as described between page 74, line 8, and page 77, line 2, The master print engine ... which in the current design exceeds 30kHz."; and

(p) 45 & 1120 of fig. 50; and

(2) how the program proceeds after box(es):

(a) 894 of fig. 38 if the inquiry is "NO" in the paragraph between page 41, line 14, and page 42, line 3, "Figure 38 ... maintained by the registration server." and

(b) 896, 897 & 902 of fig. 38a if the inquiry is "NO" in the paragraph at page 42, line 4-16, "Figure 38a ... the digital signature to the field value.".

In this regard, it is noted that merely mentioning a number with out mentioning the device or operation of the step relies on the drawing to provide support for the

disclosure and not to aid in the understanding of the invention, as is the purpose of the drawings (37 CFR § 1.81(a,b)).

C) the following errors have been noted in the specification:

(1) as can be seen in figs. 11, 12, 12a & 13 and from the context of the paragraph at page 15, lines 19-26, "The netpage printer ... in Figures 11 to 13 ... portable and miniature versions.", at lines 1-2 of this paragraph "11 to 13" should be --11, 12, 12a and 13--.

(2) applicant use of the phrase "code code" at line 1 of the last paragraph on page 20, "Any suitable error-correcting code code can ... herein incorporated by cross-reference.", is confusing.

(3) as can be seen in fig. 5a and from the context of the paragraph at page 21, lines 2-6, "The physical representation ... data areas 18. The fixed ... individual bits of the encoded tag data."; at line 2 of this paragraph "18" should be --18a, 18b, 18c and 18d--.

(4) from the description of figs. 19(a), 19(b) and 19(c) between page 32, line 28, and page 33, line 21, "Figures 19(a), 19(b) and 19(c) show ... surface tension at the meniscus 316.", the brief description of the drawings lacks a description of figures 19(a), 19(b) & 19(c) in the paragraph at page 11, lines 17-18, "Figure 19 is ... elements shown in Figure 13;" as required by 37 CFR § 1.74, hence at line 1 of the paragraph at page 11, lines 17-18, "Figure 19 is" should be --Figures 19(a), 19(b) and 19(c) are--.

(5) as can be seen in fig. 25 and from the context of the paragraph between page 41, line 14, and page 42, line 3, "Figure 38 ... formatted element 839 whose zone 58 ... maintained by the registration server.", at line 4 of this paragraph "839" should be --835--.

(6) the disclose lacks an explicit description of fig. 41 as required by 37 CFR § 1.74.

(7) applicant's use of the phrase "Volt 47" at lines 4-5 of the paragraph between page 70, line 30, and page 71, line 4, "The image sensor is a 215x215

pixel ... Itakura, K T Nobusada, N Okusenya, R Nagayoshi, and M Ozaki, "A 1mm 50k-Pixel IT CCD Image Sensor for Miniature Camera System", IEEE Transactions on Electronic Devices, Volt 47, number 1, January 2000, which is incorporated herein by reference) with an IR filter.", is confusing, should "Volt" be -Vol.--.

(8) the disclose lacks an explicit description of fig. 15 as required by 37 CFR § 1.74.

(9) the disclose lacks an explicit description of fig. 16 as required by 37 CFR § 1.74.

(10) as can be seen in at least fig. 16 and from the context of the disclosure at page 76, lines 7-11, The print engine controller 360 ... while the page is loaded.", at line 1 of this paragraph "360" should be -760--.

(11) the specification lacks a statement of --We claim:--, (see MPEP 608.01(m)).

D) the subject matter of:

(1) claims 11, 12, 28 & 29, in regard to disabling the authorization after a predetermined number of uses;

lacks antecedent basis within the specification as required by 37 CFR § 1.75(d1).

Appropriate correction is required.

5. The specification and drawings have not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification or drawings. Applicant should note the requirements of 37 CFR § 1.74, § 1.75, § 1.84(o,p(5)), § 1.121(a)-1.121(f) & § 1.121(h)-1.121(i).

6. Claims 11, 12, 28 & 29 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6.1 The subject matter of:

A) claims 11, 12, 28 & 29, in regard to disabling the authorization after a predetermined number of uses;
lacks antecedent basis within the specification as required by 37 CFR § 1.75(d1).

6.2 For the above reason, applicant has failed to particularly point out what is regarded as the invention.

7. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

(c) Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

7.1 Claims 5, 5/8 (claim 8 as it depend from claim 5), 5/8/9, 5/10, 5/11, 5/11/12, 5/13, 5/13/14, 6, 6/8, 6/8/9, 6/10, 6/11, 6/11/12, 6/13, 6/13/14, 6/15, 6/16, 22, 23, 22/25, 23/25, 22/25/26, 23/25/26, 22/27, 23/27, 22/28, 23/28, 22/28/29, 23/28/29, 22/32, 23/32, 22/32/33 & 23/32/33, are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shachar (6,012,102) in view of common practice.

7.1.1 In regard to claims 5, 5/13, 5/13/14, 6, 6/13, 6/13/14, 6/16, 22, 23, 22/32, 23/32, 22/32/33 & 23/32/33 Shachar ('102) discloses a printed business card. Where the business card includes encoding information such as an e-mail address as a bar code printed on the surface of the business card. Further a scanner may then be used to read the encoded address so as to aid in the entry of the data into a computer system, where it is saved/recorded for

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future reference by a first user, based on the identity of the business card obtained from the encoded data.

7.1.2 It is noted that Shachar ('102) does not interpret the encoded data as a request and authorization to send e-mail to a second user, however, since the purpose of a business card is to promote/communicate the identity and nature of a business to new customers, it would have been obvious to one of ordinary skill at the time the invention was made that the fact that the first user has received the business card from the second user is a request for the first user to contact the second user via a communications media for example e-mail.

7.1.3 In regard to claims 5/8, 5/8/9, 6/8, 6/8/9, 22/25, 23/25, 22/25/26 & 23/25/26, since the use receipt of Spam is distasteful to most users of e-mail, it would have been obvious to one of ordinary skill at the time the invention was made that the fact that the first user has received the business card from the second user is a request for the first user as authorized by the second user to contact the second user via a communications media for example e-mail, where other users are prevented from sending e-mails.

7.1.4 In regard to claims 5/10, 5/11, 5/11/12, 6/10, 6/11, 6/11/12, 22/27, 23/27, 22/28, 23/28, 22/28/29 & 23/28/29, since the use receipt of Spam is distasteful to most users of e-mail, it would have been obvious to one of ordinary skill at the time the invention was made that the fact that the first user has received the business card from the second user is a request for the first user as authorized by the second user for a period of time and/or a limited number or contacts, to contact the second user via a communications media for example e-mail so as to limit the ability of the first user to contact the second user when the second user no longer authorizes the first user to send e-mails.

8. The following is an Examiner's Statement of Reasons for Allowance over the prior art of record:

A) the prior art for example:

(1) Horst (2,417,163) discloses printed decodable encoded information on a substrate.

(2) the Packaging Week article, discloses the use of a dual head printing system to simultaneously print information at two locations.

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(3) Wolff et al (GB 2306669) discloses a stylus that includes a CCD array for reading coded information on a substrate.

(4) Dougherty et al (WO 99/18487) discloses a stylus that includes a CCD array for reading coded information on a substrate, where the coded information controls the operation of a system.

(5) either Ikeda (5,938,727) or Zazzu et al (2002/0043562), disclose encoding destination information as a barcode on a substrate.

(6) Shachar (6,012,102) discloses encoding information as a bar code on a business card.

B) however, in regard to claims 1 & 18, the prior art does not teach or suggest:

(1) the use of a substrate with encoded data and a reference point;

(2) the use of a sensing device that senses the identity of the substrate, e.g. business card, from the encoded data;

(3) the sensing device determines the relative position of the sensing device in regard to the substrate from the encoded data; and

(4) determines from the encoded data whether or not a first user may send information, for example, e-mail, to a second user.

Claims 2, 3, 8-17 (as they depend from claim 1), 19, 20 & 25-34 (as they depend from claim 18), are allowable for the same reason.

C) however, in regard to claims 4, 7, 21 & 24, the prior art does not teach or suggest:

(1) the use of a substrate with encoded data and a reference point;

(2) the use of a sensing device that senses a request on substrate, e.g. business card, from the encoded data;

(3) the sensing device determines the relative movement of the sensing device in regard to the substrate from the encoded data; and

(4) determines from the encoded data whether or not a first user may send information, for example, e-mail, to a second user.

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Claims 8-15 (as they depend from claim 4) & 25-34 (as they depend from claim 21) are allowable for the same reason.

D) however, in regard to claims 5/15, 22/34 & 23/34, the prior art does not teach or suggest using a substrate with encoded data that is invisible to the unaided human eye.

E) however, in regard to claims 22/30 & 23/30, the sensing device including a marking nib/pen.

F) however, in regard to claim 22/31 & 23/31, the sensing device including the ability of imparting an unique identity of a particular user.

9. In order to complete the record and disclosure, applicant must supply the prior art as well as a PTO-1449 listing the prior art disclosed:

A) in the last paragraph on page 20, "Any suitable error-correcting code code can ... Stephen B. Wicker, Error Control Systems for Digital Communication and Storage, Prentice-Hall 1995, ... herein incorporated by cross-reference).".

B) in the paragraph at page 23, lines 10-22, "The four perspective target ... (see Heckbert, P. Fundamentals of Texture Mapping and Image Warping, Masters Thesis, Dept. of EECS, U. of California at Berkeley, Technical Report No. UCB/CDS 89/516, June 1989, ... herein incorporated by cross-reference).".

C) in the paragraph at page 25, lines 19-29, "It is possible ... (see Anoto Technology Description, Anoto April 2000).".

D) in the paragraph at page 39, lines 21-27, "A text field has ... Tappert, C., C.Y. Suen and T. Wakahara, "The State of the Art in On-Line Handwriting Recognition", IEEE Transactions on Pattern Analysis and Machine Intelligence, Vol. 12, No. 8, August 1990, ... herein incorporated by cross-reference).".

E) in the paragraph between page 39, line 28, and page 40, line 6, "A signature ... Plamondon, R and G. Lorette, "Automatic Signature Verification and Writer Identification - The State of the Art", Pattern Recognition, Vol. 22, No. 2, 1989, ... herein incorporated by cross-reference).".

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(F) in the paragraph between page 70, line 30, and page 71, line 4, "The image sensor is a 215x215 pixel ... Itakura, K T Nobusada, N Okusenya, R Nagayoshi, and M Ozaki, "A 1mm 50k-Pixel IT CCD Image Sensor for Miniature Camera System", IEEE Transactions on Electronic Devices, Volt 47, number 1, January 2000, which is incorporated herein by reference) with an IR filter."

10. Claims 7, 5/15, 24, 22/30, 23/30, 22/34 & 23/34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. The shorten statutory period of response is set to expire 3 (three) months from the mailing date of this Office action.


12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward Cosimano whose telephone number is (703) 305-9783. The examiner can normally be reached Monday through Thursday from 7:30am to 6:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss, can be reached on (703)-308-2702. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

12.1 The fax phone number for UNOFFICIAL/DRAFT FAXES is (703) 746-7240.

12.2 The fax phone number for OFFICIAL FAXES is (703) 305-7687.

12.3 The fax phone number for AFTER FINAL FAXES is (703) 308-3691.

06/04/03


Edward R. Cosimano
Primary Examiner A.U. 3629